



GAVIN NEWSOM
GOVERNOR



JARED BLUMENFELD
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

January 30, 2019

(Via email and Certified Mail)

CERTIFIED MAIL

NO. 7018 0680 0000 1017 6335

Mr. Leslie Lucas
Transportation Supervisor
Delano Joint Union High School District
1720 Norwalk Street
Delano, California 93215
llucas@djuhsd.org

**SUBJECT: FAILURE TO COMPLY; UNDERGROUND STORAGE TANK SYSTEMS
LOCATED AT DELANO JOINT UNION HIGH SCHOOL DISTRICT, 18TH AND
RANDOLPH STREET, DELANO**

Dear Mr. Lucas:

As of the date of this letter, the State Water Resources Control Board (State Water Board) has not received a complete response to our November 26, 2018 Notice of Violation (NOV)(attached). You are directed to correct the ongoing violations identified in the NOV and submit compliance documentation to the State Water Board and Kern County Public Health Services Department within ten (10) days from the date of this letter.

Please send all compliance documentation to the following:

State Water Board

Mr. Douglas McDevitt
UST Enforcement Unit
Office of Enforcement
State Water Resources Control Board
801 K Street, Suite 2300
Sacramento, California 95814
douglas.mcdevitt@waterboards.ca.gov

Local CUPA

Mr. Bilal Korin
Supervising Environmental Health Specialist
Kern County Public Health
Services Department
2700 M Street, Suite 300
Bakersfield, California 93301
korinb@kerncounty.com

Failure to comply with this notice may result in an enforcement action by the State Water Board. The State Water Board reserves the right to bring an action against the owner and/or operator of the tank(s) in violation, or it may recommend that Kern County Public Health Services Department pursue enforcement, or Kern County Public Health Services Department may elect to pursue enforcement independently.

Pursuant to Health and Safety Code, chapter 6.7, section 25299, the owner and operator of the tank(s) are liable for a penalty of \$500 to \$5,000 per tank, per day of violation. These penalties will continue to accrue until the violations have been corrected.

Office of Enforcement | 801 K Street, Suite 2300 | Sacramento, CA 95814 | 916.341.5272

FELICIA MARCUS, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

1001 I Street, Sacramento, CA 95814 | Mailing Address: P.O. Box 100, Sacramento, CA 95812-0100 | www.waterboards.ca.gov

If you have any questions, please contact me at (916) 341-5891, or by email at matthew.buffleben@waterboards.ca.gov.

Sincerely,

A handwritten signature in blue ink that reads "Matthew D. Buffleben". The signature is fluid and cursive, with the first name "Matthew" being the most prominent.

Dr. Matthew Buffleben
Supervising Water Resource Control Engineer
Acting Supervisor, UST Enforcement Unit
Office of Enforcement

Attachment: November 26, 2018 Notice of Violation

cc: *(via email only)*

Mr. Bilal Korin
Supervising Environmental Health Specialist
Kern County Public Health
Services Department
korinb@kerncounty.com

Mr. Leslie Lucas
Transportation Supervisor
Delano Joint Union High School District
llucas@djuhsd.org



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

November 26, 2018

(Via email and Certified Mail)
CERTIFIED MAIL
NO. 7018 0680 0000 1017 6045

Mr. Leslie Lucas
Transportation Supervisor
Delano Joint Union High School District
1720 Norwalk Street
Delano, California 93215
llucas@diuhsd.org

**SUBJECT: NOTICE OF VIOLATION; UNDERGROUND STORAGE TANK SYSTEMS
LOCATED AT DELANO JOINT UNION HIGH SCHOOL DISTRICT, 18TH AND
RANDOLPH STREET, DELANO**

Dear Mr. Lucas:

As part of an initiative by the State Water Resources Control Board (State Water Board) to ensure compliance at government-owned and/or operated underground storage tank (UST) facilities in California, the State Water Board staff inspected the UST(s) at your facility on October 30, 2018, pursuant to authority under Health and Safety Code (H&SC), chapter 6.7, section 25289.

The State Water Board has identified the following violations pursuant to H&SC, chapter 6.7, and California Code of Regulations (CCR), title 23, chapter 16:

No.	Violation	Tank	Start Date	Stop Date	Regulation
1	Failure to Maintain Plot Plan/Site Map – The map onsite at the time of inspection does not indicate the location of the sensors.	All	October 30, 2018	Ongoing	23 CCR 2711(a)(8) 2632(d)(1)(C)
2	Failure to Provide Designated Operator (DO) Training – The last documented training was performed on September 2, 2017. DO employee training was due by September 2018.	All	October 1, 2018	Ongoing	23 CCR 2715(c)
3	Failure to Maintain Monitoring or Testing Records Onsite – The 2016, 2017, and 2018 annual monitoring certifications were not available at the time of inspection. In addition, a copy of the alarm history report was not affixed to the January and August 2018 monthly DO reports.	All	October 30, 2018	Ongoing	H&SC 25293; 23 CCR 2712(b), 2716(c)

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No.	Violation	Tank	Start Date	Stop Date	Regulation
4	Failure to Maintain Tank Information – In CERS, under fill pipe construction, fill components installed, striker plate/bottom protector lists “no”; however, it should list “yes.” Additionally, under piping construction, the piping system lists 23 CCR §2636(a)(3) Suction; however, it should list conventional suction.	All	October 30, 2018	Ongoing	H&SC 25286(a); 23 CCR 2711(a)
5	Failure to Perform Overfill Prevention Equipment Inspection – The overfill prevention equipment inspection demonstrating overfill equipment will activate at the required level was due on October 13, 2018.	All	October 14, 2018	Ongoing	23 CCR 2637.2(a)(1)
6	Failure to Maintain Financial Responsibility – The Chief Financial Officer letter is out dated and is required to be updated annually.	All	October 30, 2018	Ongoing	H&SC 25292.2; 23 CCR 2711(a)(11)
7	Failure to Meet Under Dispenser Containment (UDC) Requirements – The UDC is smaller than the dispenser footprint and is not able to provide secondary containment for all piping within the dispenser.	All	October 30, 2018	Ongoing	23 CCR 2636(g)

You are directed to correct the ongoing violations and submit compliance documentation to the State Water Board and Kern County Public Health Services Department within sixty (60) days from the date of this letter. Have your DO make specific notations in the next monthly DO report indicating the ongoing violations have been corrected. The monthly DO report and any associated photos must be submitted as proof of compliance.

Please send all compliance documentation to the following:

State Water Board

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State Water Resources Control Board
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Sincerely,



Dr. Matthew Buffleben
Supervising Water Resource Control Engineer
Acting Supervisor, UST Enforcement Unit
Office of Enforcement

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